

Connections

Michigan Foster Care Review Board Program

Advocating for Permanency through Reviews and Collaboration

SUMMER 2001

My Perspective on the Foster Care Review Board

Hon. Faye M. Harrison, Presiding Judge, 10th Circuit Court, Family Division, Saginaw

Several years ago, on a day when I was buried in paperwork, I received a notice that Saginaw County had been selected to have a Foster Care Review Board. Boards didn't exist statewide at that point, and my first thought was, "Oh, great! Another thing to do." I shook hands with the program managers from Lansing when they came to visit, but my heart wasn't in it. There were too many things in the system I was already trying hard to get a handle on. Little did I know then that the Review Board would help me grasp that handle—and even help me cope with some of the systemic problems this county had.

After the first Review Board members were selected in Saginaw, I agreed to meet them for lunch. I was quickly deep in conversation with knowledgeable, very human people who understood the court process and wanted to make it work better for the protection of children. They didn't want to take over, get in the way, or bash the system. They wanted to HELP, and seemed to be people who might do just that. I agreed to meet them again and talk about issues. Those initial meetings led to regularly scheduled discussions over the

years. And I now have a marked respect for the Foster Care Review Board and the volunteers who serve there. What is now referred to as "my" board, rather than "the" board, has become an important source of information for the court and the attorneys who represent children. Things surface at review board sessions that don't come out during the more formal court hearings. This is valuable on individual cases. Even more important, the board identifies barriers that are systemic. The Saginaw board told me about a problem with post-termination cases which was delaying adoptions. With some work, the court and FIA have made improvements which get children into adoptive placement more expeditiously. I don't want to imply that it is all roses. Board members sometimes (very gently, bless them) point out things my referees and I need to change. That is not always easy to hear, but it is necessary and (usually) appreciated.

"My" Foster Care Review Board is now a welcome partner in the effort to protect Saginaw's children. When I attended the state Foster Care Review Board conference two years ago, I found that Michigan has many exceptional FCRB members. Thanks for being the caring and capable people you are. We need you.

Annual Training – November 1-2, 2001: Mark Your Calendars!

by Jim Novell, Program Representative

The Foster Care Review Board Program will hold its first ever "Legislative Day" in Lansing on Thursday, November 1st at the Radisson Hotel one block from the Capitol. This will be the first day of our Annual Training this year. In the morning and early afternoon, board members will attend previously scheduled meetings with individual legislators. This will be followed by an Open House for all board members and legislators. On Friday November 2nd there will be a panel of legislators and/or aides who will talk about the legislative process and answer questions on how we can more effectively inform them about the issues which impact the care of children and families in the foster care system. Our overall Program objective this year is to equip and energize board members to be effective advocates for children with their elected officials, as well as to educate officials regarding the purpose of the Program and how they can utilize local boards to better understand the needs of foster children, their families, and the system which serves them. In May 2001 each Board began its preparations to meet legislators which will be finalized on October review days.

This year the Annual Training Recognition dinner will be held on Thursday evening. The Honorable Donald S. Owens,

Michigan Court of Appeals, will be the opening speaker. Judge Owens was a former juvenile court judge in Ingham County who worked with his foster care review board for many years. U.S. Senator Debbie Stabenow has been invited to be our Keynote Speaker. In the early 1980s, then State Representative Stabenow was a sponsor of the initial foster care review board legislation.

This year's training should be an exciting one, one that will help lay the groundwork for the Foster Care Review Board Program to be a more active and effective advocate for foster children and the system that serves them. The training will end at noon on Friday.

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"Kinship Care"

by Brenda Baker, Program Representative

From April 9-14, 2001, I attended the National Association of Black Social Workers Annual Conference held this year in Charlotte, North Carolina. The primary focus of this year's conference was "Kinship Care." A number of states, including Michigan, continue to look at ways to provide ongoing support for children who are placed with relatives. As we know, historically, most efforts have been targeted at foster families, not relative care givers.

"Kinship care is the full-time nurturing and protection of children, who are at risk and/or have been removed from their parents, by protective services, relatives, members of their tribe or clans, godparents, stepparents, or other adults who have an established kinship bond with the child's family system." (CWLA, 1994)

Kinship care is a growing phenomenon across the country and presents many challenging practice and service delivery issues. It was noted at the conference that relatives caring for their own extended family is not a new phenomenon in the African-American community. Informal adoption, or "child keeping," has been an integral part of the African-American community since the days of slavery. Willingness to share resources and responsibility in parenting roles is one of the many strengths of African-American families. The use of kinship care has been in part a response to a lack of available foster homes, and in part

an effort to respect children's culture and family bonds. African-American families are embedded in a complex kinship care network of blood-related and non-blood kin. Kinship care is a natural response to a national problem for children in out-of-home care.

Although kinship care has become an increasingly used and favored option for children in need of placement, it was noted that many workers do not understand how to assess extended families as an alternative to regular foster care homes, nor do they always know how to provide support to these families. Workers may also have difficulty working with kinship homes for the purpose of permanency planning. Historically, children have remained in relative placements without a permanency plan or legal status change, unlike children in non-related foster homes.

It was suggested that kinship care may be the best form of family preservation in the African-American community. The family is the best resource for information on family strengths/resources, and exchange patterns, as well as clarification of individual roles and relationships within the extended kinship network. The National Association of Black Social Workers continues to be committed to reviewing and having some impact on legislation, policy (federal & state), financial support and services related to kinship care.

From the Program Manager...

How do boards make the most of their Findings and Recommendations?

That's the question that volunteers have been asking. That is, how do we assure that after we've read case material, met and interviewed interested parties, and sent Findings and Recommendations to the judge, agency, and other interested parties....how do we know that the judge reads the report, the agency reads the report, and the other interested parties read the report?

On occasion, board volunteers do learn the reports have been read because they receive follow up letters or phone calls. Sometimes responses are critical of the reports; sometimes they are complimentary.

But aside from the few written or oral responses, volunteers want to know that the time they spend reading voluminous case materials, interviewing parties in often emotionally fraught atmospheres, and tediously crafting good findings and recommendations, is truly utilized by the parties involved. These are the concerns that triggered a recent investigation by the Program ad hoc Legislative Committee.

The Committee began its probe by reviewing a recently amended Arizona law, which seems to address our concern. The Arizona law states:



The Court and the Division [Arizona Child Welfare Agency] shall review a local foster care review board's findings and recommendations at the next scheduled dependency review hearing and the court shall address the board's recommendations on the record.

Although the Arizona amendment goes on to require many more contributions by review boards, the Michigan ad hoc Committee specifically focused on the court/agency's use of the report.

After reviewing the Arizona amendment, the Michigan Program ad hoc Legislative Committee developed recommendations to the Program Advisory Committee which were presented for discussion at the April 27, 2001 meeting. There was much debate by board representatives, judges, administrators, and others. While most acknowledged the importance of good findings and recommendations, there was a concern that "mandating" yet another court/agency response was not the best way to go. After all, during the past several years, courts and agencies have been inundated with new laws, rules, and policies, and not always the resources to implement them.

Yet, from another perspective, an amendment to require that courts/agencies "acknowledge," "read," "look at," or "read and consider" board findings and recommendations does not mandate further action on the part of the court/agency. Not that it would specifically prevent further action if deemed appropriate. But requiring a court/agency to "read and consider" board findings and recommendations does not order the court/agency to do anything. It would, however, convey to board volunteers that their efforts are not in vain. That the time and energy they've spent holding a review and forwarding a report is at least being considered by those in decision-making positions.

In fact, most boards already meet with their local judges and agencies routinely. They share issues and concerns that surface at reviews. And they often find listening ears in judges, administrators, and child welfare practitioners who are very much interested in feedback. In fact, at court hearings, some judges already review board recommendations, ask follow-up questions,

and sometimes even write orders to address needed services. In fact, agencies sometimes specifically address in their next updated service plans issues raised at the last foster care review board meeting.

So, one might ask, if courts and agencies are already acknowledging, reading, and considering recommendations from foster care review boards, why do we need to amend the law?

Foster care review board volunteers believe there needs to be a standard, statewide use of findings and recommendations. They believe that every court and/or agency needs to minimally read reports from the foster care review board. Citizen volunteers believe they serve on boards not to oversee the court's kids or the agency's kids, but the community's kids. Volunteers dedicate 10 to 15 hours each month reading cases, interviewing parties, and contributing to meaningful reports that are sent to judges and agencies. They need to know their reports are read and considered.

Board chairpersons routinely begin each review with the statement: "We are not a court of law. We have no power to make orders. We do have the authority to make advisory recommendations to the Court, Family Independence Agency, or private child placement agencies. The final decision in all cases remains with the Court."

There is no question by those attending foster care review board hearings as to where the authority lies. However, volunteers do have the best interests of their community's children at heart, and for this they deserve not only appreciation, but recognition.

Foster care review boards serve courts, agencies, and children. They do not manage them.

Thomas A. Kissling

Taking Advantage of the Role of the FCRB

by Linda Glover, CIP Manager, SCAO

Embracing, rather than resisting, the role of the Foster Care Review Board (FCRB) could help provide relief from cyclic events in the child welfare system where crisis is followed by the reactionary formation of yet another task force, which is followed by more policy and legislation. It is usually citizen voices raised in a chorus of outrage over a tragedy involving a child which prompts attempts at reform by committee. Foster care review board members represent the citizen voice. Regularly listening and responding to them is an option to the escalation of community frustration with the status quo and subsequent over correction by policy makers.

It may be that all the facts are not available to the Review Board, but attacks on its credibility is sometimes an attempt at defending a flawed status quo. Challenging the FCRB conclusions can consume more time than finding a way to solve systemic problems.

By way of example is a case reviewed by a local FCRB where young children who had been moved over eight times were diagnosed with "reactionary attachment disorders." The agency seemed unable to stabilize the placements and the behavior of the children was the key barrier to permanency. Solutions

presented by the agency, to which the Board objected, included weekly therapy sessions in the agency's office which were perceived as very un-helpful by the current foster parents. The foster parents were pleading for in-home help managing the children's extremely aggressive behavior, and assistance dealing with the schools who were relying on the foster parents for nearly daily behavior management interventions with the children. The FCRB supported their requests and challenged the agency to step outside of the box and provide services which would prevent another move. A great deal of agency administrative time was subsequently spent on disputing the foster care review board findings and justifying past actions. Time may have been better utilized in seeking innovative ways to support the placements.

A problem solving approach can involve the citizens in solutions to both local and state child welfare problems. Most boards welcome the opportunity to speak out on behalf of the court, the agencies and the families. For example, if additional funds for attorney representation are needed, the citizen reviewers can be challenged to present their concerns and observations to the local funding unit. Being non-defensive in the face of criticism is difficult, but can result in an honest look at the issues and the development of solutions. Inviting the community through the foster care review board to

participate in the child welfare process will establish relationships that may protect the courts, the Family Independence Agency and private foster care agencies from the unleashing of community frustration in the media, and in the halls of the legislature.

Reviewers are urged to regularly meet with the courts, the local agencies and other child welfare system partners. If a court for example wants to develop or expand the reviewers' understanding of how the system works, they might consider inviting the volunteers to spend time in court observing hearings. Partnerships

between the local board, the court, and the child welfare agencies will make the child welfare system stronger. The reviewers are often active community members who vote, pay taxes and contribute volunteer hours to community initiatives. Their recommendations can be a barometer of how the larger community perceives the child welfare system. The recommendations of the FCRB are advisory only, but the role of the citizen reviewers has the potential for real impact, if they are approached collaboratively.

Expansion - Northern Michigan Style (Say Ya to da UP!!)

by Kevin C. Sherman, Program Representative

With the expansion of the Foster Care Review Board Program statewide in 1998, many unique challenges had to be overcome to review cases in the northern forty-eight (48) counties. These counties were divided into five boards covering a geographical or land distance of approximately 460 miles, if one could drive it in a straight line. First challenge: there are no highways or Interstates in Michigan that follow straight lines.

These five boards consist of one board with five counties, one with eight, one with ten, one with twelve, and one with thirteen. Of the five boards, one board has two review sites, three boards have three review sites, and one board has four review sites. The review sites were originally chosen based on population density and circuit court jurisdictions. Each board draws reviews from two to six counties in the review site. Second challenge: make sure board members and staff have the same schedule so that everybody arrives at the same site on the same date. (One rumor has it that a board member who failed to show for reviews for three consecutive months was subsequently dismissed from the board when found alive in Wisconsin; not true!)

As you can imagine, based on the miles covered by each board and the number of review sites, some northern board members travel the night prior to the review. More routinely, however, it is an hour to an hour and a half to get to review sites from homes.

Several board members live in the Central Time Zone, so we often speak in terms of Eastern Time Zone meeting times. Third challenge: when one forgets to specify the time zone, how do you correct the problem expeditiously?

However, the biggest challenge to northern boards is their ability to be advocates for children in foster care and their ability to meet with Family Division Judges, FIA and private agency staff, service providers, and foster parent groups. Unfortunately, these meetings are often limited to those who are willing to travel to the review site. This year at the May In Service trainings, several new strategies were suggested in an attempt to meet with as many of these individuals as possible, at their location, while still holding enough citizen reviews each month to ensure a truly representative sample.

Taking all of the above issues into consideration, another new challenge recently arose when two foster parent appeals came in on the same day in two opposite sides of the region. Hopefully, this will not happen too often in the future. It should be noted that along with each of these challenges there have been many positive benefits. Anybody who travels in northern Michigan in the fall when Michigan's natural beauty is at its best knows of what I speak. Also, holding reviews at the Superior Dome in Marquette or the St. Ignace site overlooking the Mackinaw Bridge are wonderful. And we have yet to pay for parking in three and a half years! Now looking for your car in February in Bruce Crossings after it has snowed all day is a whole different story ...

But the best benefit: community volunteers looking out for community kids.



FCRB RELATED WEB PAGES

FCRB Program Web Page www.supremecourt.state.mi.us/fcrb.htm Email: fcrb@jud.state.mi.us	State of Michigan Web Page www.state.mi.us Reference any State of Michigan Agency.
Keeping Kids Alive, Child Death Review Teams www.keepingkidsalive.org Email: cdr@mphi.org	Child Abuse Prevention Network child-abuse.com
Family to Family Tools for Rebuilding Foster Care, The Annie E. Casey Foundation www.aecf.org	Child Welfare League of America - CWLA www.cwla.org
Michigan Family Independence Agency www.mfia.state.mi.us Foster Care Manual www.mfsa.state.mi.us/olmweb/ex/cff/cff.pdf	Michigan's Children www.michiganchildrens.org
Michigan Legislature Web Page www.michiganlegislature.org Locate your State representatives, senators, pending legislation, etc.	Michigan Foster and Adoptive Parent Association www.mfapa.org
Searching for Families, Fighting for Children E-mail: Kschuler@lcfsmi.org	E-Magazine for Children's Advocates www.childadvocacy.com
Michigan Adoption Resource Exchange www.mare.org	Child Welfare Licensing www.cis.state.mi.us/brs/cwl/cpa/fostercert.htm Bureau of Regulatory Services, Division of Child Welfare Licensing.
Office of the Children's Ombudsman www.statemi.us/dmb/ombudsman	National Organization on Fetal Alcohol Syndrome www.nofas.org
Michigan Supreme Court, Public Program Page www.supremecourt.state.mi.us/programs.htm	National Foundation to Prevent Child Sexual Abuse, www.childsexualabuse.org
Michigan Federation of Private Child and Family Agencies E-mail: lansing@michfed.org Web Page www.michfed.org/index2.html	International Child Abuse Network www.yesican.org
	Family Preservation and Child Welfare Network, www.familypreservation.com
	The Children's Bureau of the Administration on Children, Youth and Families, a division of the U.S. Department of Health and Human Services www.acf.dhhs.gov/programs/cb

Welcome to New Volunteers

Barry County
Joseph Diaz
Charlevoix County
Chris Frasz
Chippewa County
Kaye Leazier
Clinton County
Deborah Fair
Ronald McComb
Emmet County
Shannon Brower
Genesee County
Archie Bailey
Shawn Bryson
Melvin Tormey
Hillsdale County
Martha Crow

Ingham County
Cletonya LaGrand
Jeanie Owens
David Underwood
Nettie Wood
Jackson County
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Bradford Snyder
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